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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined initial and second to fifth periodic reports of the Central African Republic

Addendum

Responses of the Central African Republic*

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General framework

1. Since December 2012, the humanitarian and security situation has deteriorated throughout the Central African Republic. The bulk of public infrastructure has been looted, and as a result, administration has been totally paralysed in the rural areas. State officials working in the countryside have been attacked by Seleka forces; like other civilians, many have fled, taking refuge in the bush, heading for the capital, or escaping to neighbouring countries. The national army collapsed upon Seleka's entry into Bangui. Under these conditions, no State institution can function normally. For now, the transitional government's priorities are to restore State authority and peace in the country. Specifically, those priorities are as follows:

- Restoration and strengthening of security nationwide with a view to providing vulnerable population groups with humanitarian assistance and allowing displaced persons to return quickly to their own communities;
- Restoration of State authority through the redeployment and reorganization of central and territorial authorities, including judicial authorities;
- Refurbishment of the buildings of appellate courts in Bangui and some hinterland towns, courts of major jurisdiction, police stations, gendarmerie brigades and penitentiaries;
- Provision of equipment for all judicial services;
- Redeployment of judges and officers of the court, which is now beginning;
- Human, operational and technical capacity-building in the area of justice, including the Chancery and the Inspectorate-General of Judicial Services.

2. The Government has opted for zero tolerance of any person, without exception, found guilty of any kind of violence against women and girls. The Demobilization, Disarmament and Reintegration initiative for ex-combatants is among the transitional government's priorities, and is still under discussion. A related initiative, to disarm the militias and demobilize and reintegrate child soldiers, is already under way.

3. In September 2013, the Government adopted its national action plan to implement Security Council resolution 1325. An awareness and advocacy session was held on 8 March in honour of International Women's Day and for the benefit of all transitional authorities (the Government, the National Transitional Council and the Transitional Constitutional Court) and their development partners, to urge them to fully involve women in the resolution of the current crisis. It should be noted in that context that for the first time in its history, the Government of the Central African Republic has 35 per cent female representation (7 of 20 ministers). In addition, the Government is still in contact with women's organizations, to empower them as stakeholders in the resolution of the crisis.

4. Capacity-building for women is an essential objective if they are to effectively and efficiently participate in political and economic restructuring. The Government intends to take urgent action to strengthen women's management and leadership capacities.

Violence against women in conflict and post-conflict situations

5. Information on cases of rape perpetrated on women by the Seleka coalition is mainly provided by humanitarian bodies working in the Central African Republic; the State is nearly absent in the field because of the insecurity outlined above (para. 1). The Government has taken steps to conduct a survey to assess the situation in terms of the violation of human rights and international humanitarian law, including incidents of torture, killing, rape and other forms of violence against women and girls.

6. The Government has promulgated a law enacted by Parliament that punishes all forms of violence against women and girls. In the context of the revision of the Penal Code and the Code of Criminal Procedure, specific provisions have been made to protect women against violence and to punish the perpetrators, whoever they may be. Women, however, often have very little access to justice, partly because they cannot afford legal fees, but also because of the weight of social and cultural tradition. Consideration should be given to instituting free access to justice for women.

7. Under its conflict and post-conflict emergency programme, the Government has made arrangements to provide assistance to women victims of sexual violence. That assistance requires no application and also relates to cases of gender-based violence. Women also receive psychosocial support. The Ministry of Public Health, Social Affairs, Gender Promotion and Humanitarian Action is currently working with partners involved in combating violence against women and girls on a comprehensive, integrated victim support project.

8. The measures taken to enable people to return home have been undermined by the upsurge of violence since 5 December 2013. People have thought it better to live in the bush because of the ongoing insecurity throughout the country. Humanitarian workers are playing a vital role in assisting displaced persons both in Bangui and in the provinces. As noted above, the current priority is to pacify the country. The Government is optimistic about the international community's ability to support the Central African Republic in the search for peace, humanitarian assistance, national reconciliation and social cohesion.

Violence against women

9. As in any country in crisis, women in the Central African Republic are often subjected to violence, including rape. Preventive measures (awareness-building among the people) have been taken by decentralized bodies of the Ministry in charge of gender and by national women's organizations. As part of the implementation of the Minimum Emergency Crisis Response Unit, national capacity has been strengthened so that support can be quickly provided to rape survivors. Consideration is being given, in conjunction with the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA), to the creation of a Joint Unit for the Suppression of Violence against Women and Girls, made up of members of the gendarmerie and the police.

10. A law enacted by Parliament to punish violence against women was promulgated in December 2006. Outreach and awareness efforts have been conducted among the people to help enforce the law. Also, in the context of the revision of the Penal Code and the Code of Criminal Procedure, new arrangements

have been made, specifically for women's benefit, to punish the perpetrators of violence against them. New offences have been listed and penalties have been made harsher. Given the country's current crisis, however, the Government means to step up its endeavours to fully enforce the laws for the protection of women and girls.

11. For now, no investigations are being conducted to evaluate cases of women who, as rape victims, are stigmatized and hence marginalized within society. It should be noted however that rape victims often hide, so that the competent authorities cannot afford them appropriate relief. Awareness actions undertaken have nevertheless enabled some victims to report to the National Committee to Combat Harmful Practices (numerous cases in 2002) or to such women's organizations as the Association des Femmes Juristes de Centrafrique (AFJC) to receive medical care and psychosocial assistance.

12. Violence against women and girls accused of witchcraft is a serious offence, punishable under the Penal Code. In cases of mob justice targeting a woman perceived to be a witch, police are required to publicly arrest and arraign the perpetrators, as such practices are considered a disturbance of public order. Raising communities' awareness of such offences is part of the mandate of the ministry having jurisdiction in this area, which also enforces the relevant laws.

Harmful practices

13. The national action plan against violence covers the following offences: rape, paedophilia, incest, sexual harassment, procuring, incitement of minors to debauchery, pornography, assault and battery, maltreatment, public insults, female genital mutilation, including all procedures involving partial or total removal of the external genitalia, abuse during widowhood, confiscation of widows' personal belongings, levirate and sororate marriage, food taboos etc. To combat such practices, in addition to enforcement measures, the Committee, together with certain women's organizations, has embarked on an extensive community awareness campaign. The Committee has put in place decentralized bodies down to the commune level. However, the humanitarian and security crisis in which the Central African Republic is embroiled has undermined all of these achievements. The plight of women in the Central African Republic has become very grave because of the magnitude of the crisis affecting all regions.

Education

14. The humanitarian and security crisis has worsened since 5 December 2013, and for about three months all schools (including public schools) were closed. Courses resumed, gradually, in March 2014. The Government has allocated a budget of xxx, or xx per cent, for the year 2014.

Health

15. In 2013, the Government allocated to the health sector the sum of 23,584,430,000 CFA francs, or 8.65 per cent of the national budget. For 2014 that budget is up substantially, to 25,056,223,000 CFA francs, the increase being

justified by the magnitude of the current crisis, which calls for urgent responses. As part of the humanitarian response, a strategic plan totalling US$ 565 million was drawn up by partners, but the total amount disbursed as of May 2014 was US$ 178,404,576, or 32 per cent.

Group of disadvantaged women

16. Efforts by the Government with the support of partners, including the United Nations Development Programme (UNDP), through the Project to Strengthen the Rule of Law, have consisted in rehabilitating prisons in the country's major cities, providing cellblocks for women. In Bangui, the Bimbo women's prison has been entirely renovated to meet international standards. However, the multifaceted crisis facing the country has resulted in almost total destruction of public buildings, including prisons. An evaluation is to be done to gauge the extent of the destruction. In the context of the State's redeployment throughout the country, judicial services are being restored both in Bangui and in the provinces, and the plight of female prisoners is under review.

17. The Central African Republic has adopted legal measures against all forms of slavery, in particular Act No. 09.004 of 29 January 2009 establishing the Labour Code (Arts. 11-262), Act No. 10.001 of 6 January 2010 establishing the Penal Code (Arts. 151-153), and Act No. 13.001 of 18 July 2013 concerning the Constitutional Transition Charter (Art. 8). This set of laws prohibits all forms of forced labour, criminalizes trafficking in persons, and establishes the equality of all human beings, without distinction, before the law.

18. Hence, the Central African Republic, on 30 August 2010, ratified International Labour Organization (ILO) Convention 169, the Indigenous and Tribal Peoples Convention. It is also among States that voted in favour of the United Nations Declaration on the Rights of Indigenous Peoples on 13 September 2007. These international commitments bear witness to the Government's firm commitment to the promotion and protection of the rights of Pygmies in the Central African Republic.

19. Given these international commitments, the country is undertaking legal reform, in line with ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples, to improve the legal status of indigenous communities in the country. A bill on the promotion of indigenous peoples and their protection against slavery is currently being drawn up. In its article 8, it provides that the State shall afford indigenous peoples special protection against slavery or forced or unpaid labour, while article 18 provides that no member of indigenous communities may be subjected to any form of forced labour and outlaws debt bondage.

20. Measures taken by the Central African Republic to eliminate the practice of early marriage are an integral part of the laws of 15 December 2006 on the protection of women and girls and on reproductive health, known as the Bangayassi Laws.

21. Revision of the Family Code is under way, but the draft amendments have yet to be adopted by the National Transitional Council (transitional Parliament).

22. As part of the implementation of the November 2013 recommendations of the Universal Periodic Review, the Government had considered ratification of legal instruments not yet ratified, but the crisis in the country has disrupted that plan as well as the redeployment of administration throughout the country. The Government intends to move the process forward again as soon as possible.